

THE HONORABLE THOMAS S. ZILLY

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON

BUNGIE, INC.,

Plaintiff,

v.

AIMJUNKIES.COM; PHOENIX
DIGITAL GROUP LLC; DAVID
SCHAEFER; JORDAN GREEN;
JEFFREY CONWAY; and JAMES MAY,

Defendants.

No. 2:21-cv-811-TSZ

**[PROPOSED] FINAL JUDGMENT ON
ARBITRATION AWARD**

This action was filed by Plaintiff Bungie, Inc. (“Bungie”) against defendants AimJunkies.com, Phoenix Digital Group LLC, David Schaefer, Jordan Green, Jeffrey Conway, and James May (collectively, the “Defendants”). After certain of Bungie’s causes of action were referred to arbitration, the parties thereafter arbitrated those claims before JAMS-appointed arbitrator Judge Ronald Cox (Ret.). This Court confirmed the arbitrator’s January 31, 2023 Permanent Injunction and February 1, 2023 Final Award. A copy of the Final Award is attached as Exhibit A; a copy of the Permanent Injunction is attached as Exhibit B.

This Court has subject matter jurisdiction over this matter because (a) it had subject matter jurisdiction over the arbitrated claims when they were originally filed and this Court then stayed those claims, thus retaining jurisdiction to confirm the award; and (b) pursuant to 28 U.S.C. § 1332 because the amount in controversy exceeds \$75,000, exclusive of interest and

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1 costs, and there is complete diversity of citizenship insofar as this action is between citizens of
2 different states.

3 Consistent with the Final Award and Permanent Injunction, and as confirmed by Order of
4 this Court, the Court enters Judgment as follows:

5 Bungie is awarded judgment against Defendants AimJunkies.com, Phoenix Digital
6 Group, LLC, David Schaefer, Jordan Green, Jeffrey Conway, and James May, jointly and
7 severally, in the amount of \$4,396,222, which consists of

- 8 1. \$3,657,500 in statutory damages;
- 9 2. \$598,641 in attorneys' fees;
- 10 3. \$101,800 in expert witness fees; and
- 11 4. \$38,281 in other expenses.

12 The Final Award and Permanent Injunction of the arbitrator are, in accordance with the
13 agreements between the parties, final and binding upon them. The Court accepts the Final
14 Award and Permanent Injunction as its own, rules that they are final and binding upon the
15 parties, and enters Judgment accordingly.

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17 DATED this _____ day of _____, 2023.

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19 _____
20 Honorable Thomas S. Zilly
21 UNITED STATES DISTRICT JUDGE
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1 Presented by:

2
3 /s/ William C. Rava

4 William C. Rava, WSBA No. 29948

5 Christian W. Marcelo, WSBA No. 51193

6 Jacob P. Dini, WSBA No. 54115

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